



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

Joseph E. Kernan

Governor

Lori F. Kaplan

Commissioner

100 North Senate Avenue

P. O. Box 6015

Indianapolis, Indiana 46206-6015

(317) 232-8603

(800) 451-6027

[www.IN.gov/idem](http://www.IN.gov/idem)

## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**PSI Energy, Inc. Henry County Generating Station  
6045 West State Road 38  
New Castle, IN 47632**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 065-15440-00032	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date:  Expiration Date:

## TABLE OF CONTENTS

<b>A</b>	<b>SOURCE SUMMARY</b>	<b>5</b>
A.1	General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]	
A.3	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]	
A.4	Part 70 Permit Applicability [326 IAC 2-7-2]	
<b>B</b>	<b>GENERAL CONDITIONS</b>	<b>6</b>
B.1	Definitions [326 IAC 2-7-1]	
B.2	Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]	
B.3	Enforceability [326 IAC 2-7-7]	
B.4	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]	
B.5	Severability [326 IAC 2-7-5(5)]	
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.7	Duty to Provide Information [326 IAC 2-7-5(6)(E)]	
B.8	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]	
B.9	Annual Compliance Certification [326 IAC 2-7-6(5)]	
B.10	Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1)and(6)] [326 IAC 1-6-3]	
B.11	Emergency Provisions [326 IAC 2-7-16]	
B.12	Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]	
B.13	Prior Permits Superseded [326 IAC 2-1.1-9.5]	
B.14	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]	
B.15	Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]	
B.16	Permit Renewal [326 IAC 2-7-4]	
B.17	Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]	
B.18	Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12][40 CFR 72]	
B.19	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]	
B.20	Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]	
B.21	Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2][IC 13-30-3-1]	
B.22	Transfer of Ownership or Operational Control [326 IAC 2-7-11]	
B.23	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]	
<b>C</b>	<b>SOURCE OPERATION CONDITIONS</b>	<b>17</b>
	<b>Emission Limitations and Standards [326 IAC 2-7-5(1)]</b>	
C.1	Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]	
C.2	Opacity [326 IAC 5-1]	
C.3	Open Burning [326 IAC 4-1] [IC 13-17-9]	
C.4	Incineration [326 IAC 4-2] [326 IAC 9-1-2]	
C.5	Fugitive Dust Emissions [326 IAC 6-4]	
C.6	Operation of Equipment [326 IAC 2-7-6(6)]	
C.7	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]	
	<b>Testing Requirements [326 IAC 2-7-6(1)]</b>	

C.8 Performance Testing [326 IAC 3-6]

**Compliance Requirements [326 IAC 2-1.1-11]**

C.9 Compliance Requirements [326 IAC 2-1.1-11]

**Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]**

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

C.11 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

**Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports  
[326 IAC 2-7-5] [326 IAC 2-7-6]

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

C.17 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]  
[326 IAC 2-6]

C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

**Stratospheric Ozone Protection**

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

**D.1 FACILITY OPERATION CONDITIONS: Three (3) Combustion Turbines . . . . . 24**

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

D.1.1 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]

D.1.2 NO<sub>x</sub> Limitations [326 IAC 2-2][40 CFR 52.21]

D.1.3 CO Limitations [326 IAC 2-2][40 CFR 52.21]

D.1.4 New Source Performance Standards (NSPS) (Stationary Gas Turbines) [326 IAC 12]  
[40 CFR Part 60, Subpart GG]

D.1.5 Carbon Monoxide Emission Limitations [326 IAC 9-1]

D.1.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

**Compliance Determination Requirements**

D.1.7 40 CFR Part 60, Subpart GG Compliance Requirements (Stationary Gas Turbines)

D.1.8 Continuous Emission Monitoring System (CEMS) [326 IAC 3-5]

D.1.9 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b)  
and (c)] [40 CFR 75]

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

D.1.10 40 CFR Part 60, Subpart GG Compliance Requirements (Stationary Gas Turbines)

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

D.1.11 Record Keeping Requirements

D.1.12 Reporting Requirements

<b>ACID RAIN PROGRAM CONDITIONS</b>	27
E.1    Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21][40 CFR 72 through 40 CFR 78]	
E.2    Title IV Emissions Allowances [326 IAC 2-7-5(4)]	
<b>Certification</b>	28
<b>Emergency Occurrence Report</b>	29
<b>Quarterly Reports</b>	31
<b>Quarterly Deviation and Compliance Monitoring Report</b>	33
<b>Appendix A: Phase II Acid Rain Permit AR 065-10505-00032</b>	

## SECTION A

## SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in Conditions A.1 through A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

### A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

---

The Permittee owns and operates a stationary power plant source.

Responsible Official:	Manager of the Henry County Generating Station
Source Address:	6045 West State Road 38, New Castle, Indiana 47632
Mailing Address:	c/o Steven L. Pearl, 1000 East Main Street, Plainfield, Indiana 46168-1782
General Source Phone Number:	317-838-1758
SIC Code:	4911
County Location:	Henry
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Rules; Minor Source, Section 112 of the Clean Air Act

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

---

This stationary source consists of the following emission units and pollution control devices:

Three (3) combustion turbines, firing natural gas, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.

### A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

---

This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

Paved and unpaved roads and parking lots with public access. (326 IAC 6-4)

### A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

---

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3);
- (c) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## GENERAL CONDITIONS

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

This permit is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

This permit does not convey any property rights of any sort or any exclusive privilege.

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit .

- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

- (b) One (1) certification shall be included, using the attached Certification Form, or its equivalent,

with each submittal requiring certification.

- (c) A responsible official is defined at 326 IAC 2-7-1(34).

**B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]**

---

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent; and
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3).

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]**

---

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plan or Plan(s) (PMP) or PMP(s) within ninety (90) days after issuance of this permit, including the following information on each facility:

- (1) Identification of the individual(s) responsible (by title or classification) for inspecting, maintaining, and repairing emission control devices;

- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMP cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMP or PMP(s), including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMP or PMP(s) shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMP or PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit.

The submittal of the PMP and the PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

#### B.11 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
  - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ,



within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
  - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
  - (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(9) be revised in response to an emergency.
  - (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
  - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

**B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]**

---

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit, or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]**

---

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
- (1) incorporated as originally stated,
  - (2) revised, or
  - (3) deleted
- by this permit.
- (b) All previous registrations and permits are superseded by this permit except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

**B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]**

---

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

**B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]**

---

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or

other terms or conditions.

- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

**B.16 Permit Renewal [326 IAC 2-7-4]**

---

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
  - (1) A timely renewal application is one that is:
    - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
    - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
  - (2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]  
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to

process the application. [326 IAC 2-7-4(a)(2)(D) and (E)]

- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]  
If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

**B.17 Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]**

---

- (a) The Permittee shall obtain approval as required by 326 IAC 2-7-10.5 from the IDEM, OAQ prior to making any modification to the source.

- (b) Any application requesting a source modification shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee shall also comply with the applicable provisions of 326 IAC 2-7-11 (Administrative Permit Amendments) or 326 IAC 2-7-12 (Permit Modification) prior to operating the approved modification.

**B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12][40 CFR 72]**

---

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]

- (c) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (d) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

- (e) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

**B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]**

---

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for

changes that are provided for in a Part 70 permit.

- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

**B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]**

---

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance copy of this permit; and

- (5) The Permittee maintains records available on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20 (b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;

- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

**B.21 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2][IC 13-30-3-1]**

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be physically present or electronically accessible under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any physically present or electronically accessible records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

**B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]**

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

**B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]**

---

- (a) The Permittee shall pay applicable annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.



## SECTION C

## SOURCE OPERATION CONDITIONS

Entire Source

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

**C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]**

- (a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.

**C.2 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]**

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

**C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]**

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

**C.5 Fugitive Dust Emissions [326 IAC 6-4]**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.6 Operation of Equipment [326 IAC 2-7-6(6)]**

Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times, consistent with safe and proper operation of equipment that the emission units vented to the control equipment are in operation.

**C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

The Permittee shall comply with the applicable requirements of 326 IAC 14-10, 326 IAC 18, and 40

CFR 61.140.

### **Testing Requirements [326 IAC 2-7-6(1)]**

#### **C.8 Performance Testing [326 IAC 3-6]**

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the source submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

#### **C.9 Compliance Requirements [326 IAC 2-1.1-11]**

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

### **Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]**

#### **C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment as specified in Section D.
- (b) All continuous emission monitoring systems shall meet all applicable performance specifications of 40 CFR 60 or any other performance specification, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.
- (c) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (d) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or is down for maintenance or repairs, the following shall be used as an alternative to continuous data collection:
  - (1) If the CEM is required for monitoring NO<sub>x</sub> emissions pursuant to 40 CFR 75 (Title IV Acid Rain program) or 326 IAC 10-4 (NO<sub>x</sub> Budget Trading Program), the Permittee shall comply with the relevant requirements of 40 CFR 75 Subpart D - Missing Data Substitution Procedures.
  - (2) If the CEM is not used to monitor NO<sub>x</sub> emissions from a unit subject to requirements of the Title IV Acid Rain program or the NO<sub>x</sub> Budget Trading Program, and is down for a period of four (4) hours or more, then supplemental or intermittent monitoring of the parameter shall be implemented as specified in Section D of this permit until such time as the emission monitor system is back in operation.
- (e) Nothing in this condition, or in Section D of this permit, shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring equipment system pursuant to 326 IAC 10-4 and 326 IAC 3-5.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, 40 CFR 75, or other approved methods as specified in this permit.

### **Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

#### **C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on October 22, 2001.
- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

#### **C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, the source must comply with the applicable requirements at 40 CFR 68.

#### **C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]**

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan to include such response steps taken.

The OMM Plan shall be submitted within the time frames specified by the applicable 40 CFR 60/63 requirement.

- (b) Reasonable response steps shall be taken when indicated by the provisions of each compliance monitoring condition as follows:
  - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the

emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.

- (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
  - (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, the response steps required in Section D are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

**C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the

“responsible official” as defined by 326 IAC 2-7-1(34).

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**C.17 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]**

(a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:

- (1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 2-7-1(32) (“Regulated pollutant which is used only for purposes of Section 19 of this rule”) from the source, for purposes of Part 70 fee assessment.

(b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

The emission statement does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

**C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]**

(a) Records of all required monitoring data, reports and support information required by this permit, shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

**C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]**

(a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

### **Stratospheric Ozone Protection**

#### **C.20 Compliance with 40 CFR 82 and 326 IAC 22-1**

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]:

Three (3) combustion turbines, firing natural gas, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

#### D.1.1 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]

The provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated as 326 IAC 12-1, apply to the facilities described in this section except when otherwise specified in 40 CFR 60 Subpart GG.

#### D.1.2 NO<sub>x</sub> Limitations [326 IAC 2-2]

Pursuant to CP 065-10469-00032, issued on July 15, 1999, the potential to emit of NO<sub>x</sub> from the three (3) combustion turbines shall be limited to less than a total of 249.7 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Therefore, the Prevention of Significant Deterioration (PSD) rules 326 IAC 2-2 will not apply.

#### D.1.3 CO Limitations [326 IAC 2-2]

Pursuant to CP 065-10469-00032, issued on July 15, 1999, the potential to emit of CO from the three (3) combustion turbines shall be limited to less than a total of 249.8 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Therefore, the Prevention of Significant Deterioration (PSD) rules 326 IAC 2-2 will not apply.

#### D.1.4 New Source Performance Standards (NSPS) (Stationary Gas Turbines) [326 IAC 12] [40 CFR Part 60, Subpart GG]

(a) The three (3) combustion turbines are subject to 40 CFR Part 60, Subpart GG because the heat input at peak load is equal to or greater than 10.7 gigajoules per hour, based on the lower heating value of the fuel fired.

(b) Pursuant to 326 IAC 12-1 and 40 CFR 60, Subpart GG (Stationary Gas Turbines), the Permittee shall:

(1) Limit nitrogen oxides emissions, as required by 40 CFR 60.332, to:

$$\text{STD} = 0.0075 \frac{(14.4)}{Y} + F,$$

where STD = allowable NO<sub>x</sub> emissions (percent by volume at 15 percent oxygen on a dry basis).

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO<sub>x</sub> emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.



- (2) Limit sulfur dioxide emissions, as required by 40 CFR 60.333, to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to 0.8 percent by weight.

**D.1.5 Carbon Monoxide Emission Limitations [326 IAC 9-1]**

---

This source is subject to 326 IAC 9-1 because it is a stationary source of CO emissions commencing operation after March 21, 1972. There are no applicable CO emission limits, under this state rule, established for this type of operation.

**D.1.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]**

---

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the three (3) combustion turbines and their control devices.

**Compliance Determination Requirements**

**D.1.7 40 CFR Part 60, Subpart GG Compliance Requirements (Stationary Gas Turbines)**

---

Pursuant to 40 CFR Part 60, Subpart GG (Stationary Gas Turbines), the Permittee shall:

Monitor the sulfur content and nitrogen content of the fuel being fired in the turbine, as required by 40 CFR 60.334(b). The custom schedule for the three (3) turbines shall be the following:

Monitor the natural gas combusted through the analysis of pipeline gas from the natural gas supplier. Gas samples shall be taken once a calendar quarter at the closest proximity to the site of the turbines. In the event of less than thirty (30) days of the turbines operation in a quarter, the quarterly sampling is waived. For these purposes, one day of operation shall be defined as any day that gas is burned for more than one (1) hour. Quarterly sampling and analysis of the gas shall be performed according to ASTM methods in 60.335(a) and 60.335(d).

**D.1.8 Continuous Emission Monitoring System (CEMS) [326 IAC 3-5]**

---

- (a) Pursuant to 326 IAC 3-5, continuous emission monitoring systems for the three (3) simple-cycle combustion turbines shall be calibrated, maintained and operated for measuring NO<sub>x</sub> and CO emission rates in pounds per hour from stacks 1 through 3 in accordance with performance specifications in 326 IAC 3-5-2.
- (b) The Permittee shall submit to IDEM, OAQ, within ninety (90) days after monitor installation, a complete written continuous monitoring standard operating procedure (SOP), in accordance with the requirements of 326 IAC 3-5-4. This plan was submitted on December 18, 2001.
- (c) The Permittee shall record the output of the system and shall perform the required record keeping, pursuant to 326 IAC 3-5-6, and reporting, pursuant to 326 IAC 3-5-7.
- (d) In instances of downtime, the source shall comply with the relevant requirements of 40 CFR 75 Subpart D- Missing Data Substitution Procedures.
- (e) Whenever the CO continuous emission monitoring system is malfunctioning or down for repairs or adjustments, the Permittee shall use a data substitution procedure for the CO CEMS that is consistent with the requirements of 40 CFR 75.33(b), Standard Missing Data Substitution Procedures for SO<sub>2</sub> Concentration Data.

**D.1.9 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40 CFR 75]**

---

The Permittee shall meet the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO<sub>x</sub> budget units on or before May 1, 2003. The Permittee shall record, report, and quality assure the data from the monitoring systems on and after May 1, 2003 in accordance with 326 IAC 10-4-12 and 40 CFR 75.

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

**D.1.10 40 CFR Part 60, Subpart GG Compliance Requirements (Stationary Gas Turbines)**

---

Pursuant to 40 CFR Part 60, Subpart GG, the Permittee shall operate a Continuous Monitoring System to monitor and record the fuel consumption and the ratio of water to fuel being fired in each turbine, as required by 40 CFR 60.334(a).

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**D.1.11 Record Keeping Requirements**

- 
- (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain records required under 326 IAC 3-5-6 available at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA, if so requested or required.
  - (b) To document compliance with Condition D.1.7, the Permittee shall maintain records of the natural gas analyses, including the sulfur and nitrogen content of the gas, for a period of five (5) years.
  - (c) To document compliance with Condition D.1.10, the Permittee shall record the fuel consumption and the ratio of water to fuel being fired in each turbine.
  - (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

**D.1.12 Reporting Requirements**

- 
- (a) The Permittee shall submit a quarterly excess emissions report, if applicable, based on the continuous emissions monitor (CEM) data for NO<sub>x</sub> and CO, pursuant to 326 IAC 3-5-7 and 40 CFR 60.334(c). These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit.
  - (b) A quarterly summary of the information to document compliance with Conditions D.1.2 and D.1.3 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

## SECTION E

## TITLE IV CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]

Three (3) combustion turbines, firing natural gas or No. 2 fuel oil, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Acid Rain Program

#### E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

- (a) Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78.
- (b) The Acid Rain permit for this source is attached to this permit as Appendix A, and is incorporated by reference.

#### E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY**

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: PSI Energy, Inc. Henry County Generating Station  
Source Address: 6045 West State Road 38, New Castle, Indiana 47632  
Mailing Address: c/o Steven L. Pearl, 1000 East Main Street, Plainfield, IN 46168-1782  
Part 70 Permit No.: T 065-15440-00032

**This certification shall be included when submitting monitoring, testing reports/results  
or other documents as required by this permit.**

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) \_\_\_\_\_
- 9 Report (specify) \_\_\_\_\_
- 9 Notification (specify) \_\_\_\_\_
- 9 Affidavit (specify) \_\_\_\_\_
- 9 Other (specify) \_\_\_\_\_

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH**

100 North Senate Avenue  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015  
Phone: 317-233-5674  
Fax: 317-233-5967

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: PSI Energy, Inc. Henry County Generating Station  
Source Address: 6045 West State Road 38, New Castle, Indiana 47632  
Mailing Address: c/o Steven L. Pearl, 1000 East Main Street, Plainfield, IN 46168-1782  
Part 70 Permit No.: T 065-15440-00032

**This form consists of 2 pages**

**Page 1 of 2**

**9** This is an emergency as defined in 326 IAC 2-7-1(12)  
cThe Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and  
cThe Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

**Part 70 Quarterly Report**

Source Name: PSI Energy, Inc. Henry County Generating Station  
Source Address: 6045 West State Road 38, New Castle, Indiana 47632  
Mailing Address: c/o Steven L. Pearl, 1000 East Main Street, Plainfield, IN 46168-1782  
Part 70 Permit No.: T 065-15440-00032  
Facilities: Three (3) combustion turbines  
Parameter: NO<sub>x</sub> Emissions  
Limit: Total less than 249.7 tons per twelve (12) consecutive month period with compliance demonstrated at the end of each month. Compliance shall be based on the CEMS data.

YEAR: \_\_\_\_\_

Month	NO <sub>x</sub> Emissions This Month (tons)	NO <sub>x</sub> Emissions Previous 11 Months (tons)	NO <sub>x</sub> Emissions for Twelve-Month Period (tons)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

**Part 70 Quarterly Report**

Source Name: PSI Energy, Inc. Henry County Generating Station  
Source Address: 6045 West State Road 38, New Castle, Indiana 47632  
Mailing Address: c/o Steven L. Pearl, 1000 East Main Street, Plainfield, IN 46168-1782  
Part 70 Permit No.: T 065-15440-00032  
Facilities: Three (3) combustion turbines  
Parameter: CO Emissions  
Limit: Total less than 249.8 tons per twelve (12) consecutive month period with compliance demonstrated at the end of each month. Compliance shall be based on the CEMS data.

YEAR: \_\_\_\_\_

Month	CO Emissions This Month (tons)	CO Emissions Previous 11 Months (tons)	CO Emissions for Twelve- Month Period (tons)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.



**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT  
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: PSI Energy, Inc. Henry County Generating Station  
Source Address: 6045 West State Road 38, New Castle, Indiana 47632  
Mailing Address: c/o Steven L. Pearl, 1000 East Main Street, Plainfield, IN 46168-1782  
Part 70 Permit No.: T 065-15440-00032

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

**Permit Requirement** (specify permit condition #)

**Date of Deviation:**

**Duration of Deviation:**

**Number of Deviations:**

**Probable Cause of Deviation:**

**Response Steps Taken:**

**Permit Requirement** (specify permit condition #)

**Date of Deviation:**

**Duration of Deviation:**

**Number of Deviations:**

**Probable Cause of Deviation:**

**Response Steps Taken:**

<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

## Indiana Department of Environmental Management Office of Air Quality

### Addendum to the Technical Support Document for a Part 70 Operating Permit

**Source Name:** PSI Energy, Inc. Henry County Generating Station  
**Source Location:** 6045 West State Road 38, New Castle, IN 47632  
**County:** Henry  
**SIC Code:** 4911  
**Operation Permit No.:** T 065-15440-00032  
**Permit Reviewer:** Craig J. Friederich

On May 14, 2003, the Office of Air Quality (OAQ) had a notice published in the Courier Times, New Castle, Indiana, stating that PSI Energy, Inc. Henry County Generating Station had applied for a Part 70 Operating Permit to operate a stationary power plant equipped with three (3) natural gas fired combustion turbines in simple cycle mode with water injection for NO<sub>x</sub> control. The notice also stated that OAQ proposed to issue a Part 70 Operating Permit for this operation and provided information on how the public could review the proposed Part 70 Operating Permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this Part 70 Operating Permit should be issued as proposed.

On June 11, 2003, Steve Pearl of PSI Energy, Inc. Henry County Generating Station, consultant for the applicant, submitted comments on the proposed Part 70 Operating Permit. The comments are as follows: The permit language, if changed, has deleted language as ~~strikeouts~~ and new language **bolded**.

#### Comment 1:

##### Section A - Source Summary

Condition A.2 - Emission Units and Pollution Control Equipment Summary: Modify end of sentence to read, "...*exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.*" The rating of the combustion turbines can vary significantly based on operating conditions; therefore it is appropriate to label the rating as nominal. This addition is consistent with other IDEM issued permits.

#### Response 1:

The IDEM, OAQ agrees with the commentator about the variability of heat inputs due to site specific factors, therefore, the equipment list in Condition A.2 as well as Section D.1 has been revised as follows:

#### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

---

This stationary source consists of the following emission units and pollution control devices:

Three (3) combustion turbines, firing natural gas, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, **nominally** rated at 407.8 million British thermal units, each.

**SECTION D.1**

**FACILITY OPERATION CONDITIONS**

**Facility Description [326 IAC 2-7-5(15)]:**

Three (3) combustion turbines, firing natural gas, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, **nominally** rated at 407.8 million British thermal units, each.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

**Comment 2:**

Section B - General Conditions

Condition B.9(b) - Certification: Modify to read, *"One (1) certification shall be included, using the attached Certification Form or its equivalent, with each submittal requiring certification."*

**Response 2:**

IDEM, OAQ has agreed to make this change because it is consistent with the intent. Therefore, Condition B.9(b) (now Condition B.8(b)) has been revised as follows:

**B.98** Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

---

- (b) One (1) certification shall be included, using the attached Certification Form, **or its equivalent**, with each submittal requiring certification.

**Comment 3:**

Condition B.11 - Preventive Maintenance Plan: This Section seems to presume that there will be multiple Preventative Maintenance Plans, when in reality all equipment may be included in one Plan. Thus all references to Preventative Maintenance Plans should be changed to Preventative Maintenance Plan or Plan(s), and all references to PMPs should be changed to PMP or PMP(s). This change is applicable to part (a) line 2, part (b) line 1, and part (c) lines 1 and 3.

**Response 3:**

Since only one (1) Preventive Maintenance Plan (PMP) may be required, Condition B.11 (now Condition B.10) has been revised as follows:

**B.4410** Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]

---

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans **or Plan(s)**(PMP) **or PMP(s)** within ninety (90) days after issuance of this permit, including the following information on each facility:
- (b) The Permittee shall implement the **PMP or PMP(s)**, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.

PSI Energy, Inc. Henry County Generating Station  
New Castle, Indiana  
Permit Reviewer: CJF/MES

Page 3 of 19  
T 065-15440-00032

- (c) A copy of the **PMP or PMP(s)** shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its **PMP or PMP(s)** whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit.

**Comment 4:**

Condition B.13(a) - Permit Shield: Regarding conditions from previous permits that were not incorporated into the proposed permit, OAQ has listed these conditions and the reasons for not incorporating in the TSD. Therefore, B.13(a), second sentence beginning on line one, should be revised as follows: *"The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance provided that either the applicable requirements are included and specifically identified in this permit or Technical Support Document (TSD), or the permit or TSD contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable."*

**Response 4:**

Several conditions from CP 065-10469-00032, issued on July 15, 1999, are no longer applicable to the source. While the Technical Support Document contains a concise summary of why each condition is no longer applicable, the actual permit shield is provided in the proposed permit. The source cannot be cited for non compliance at facilities and/or operating scenarios that are not located and/or in effect at the source. Therefore, there are no changes to the permit as a result of this comment.

**Comment 5:**

Condition B.17(c) - Permit Renewal: Modify end of last sentence, beginning on line 6 to read: *"... any additional information reasonably identified as being needed to process the application."*

**Response 5:**

Pursuant to 326 IAC 2-7-4(a)(2)(D), the commissioner may request any additional information deemed necessary to evaluate or take final action on any application. The commissioner may request such information in writing and set a reasonable deadline for a response. Pursuant to 326 IAC 2-7-3, if a Part 70 source submits a timely and complete application for a Part 70 permit issuance (including for renewal), the source's failure to have a Part 70 permit is not a violation of this rule until the commissioner takes final action a Part 70 permit application. This protection shall cease to apply if, subsequent to the completeness determination made under section 326 IAC 2-7-8(c), and as required by 326 IAC 2-7-4(a)(2), the applicant fails to submit by the deadline specified in writing by the commissioner any additional information identified as being needed to process the application. Therefore, no changes are being made to this Condition based on this comment.

**Comment 6:**

Condition B.21(c) - Operational Flexibility: Add sentence to end of (c) which reads: Notification per (a)(4) and (b) does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under Title IV of the Clean Air Act or the NO<sub>x</sub> SIP.

**Response 6:**

It is not necessary to revise Condition B.21(c) (now Condition B.20(c)) as requested. The fact that notification is not required for emission trades of SO<sub>2</sub> or NO<sub>x</sub> under Title IV of the Clean Air Act or the NO<sub>x</sub> SIP is addressed in Conditions B.19 (Permit Revision Under Economic Incentives and Other Programs) and E.2 (Title IV Emissions Allowances). Therefore, there are no changes to the permit as a result of this comment.

IDEM does not agree that emission trades should be specifically exempted from notification under Condition B.21(b) (now Condition B.20(b)). There is no apparent reason why it would be necessary to include such a statement for a trade conducted in accordance with the applicable rules under the Acid Rain Program or NO<sub>x</sub> Budget Trading Program because such a trade is not a change under Section 502(b)(10) of the Clean Air Act. Therefore, no change will be made regarding this portion of the comment, and Condition B.21(c) (now Condition B.20(c)) has been revised as follows:

**B.2420 Operational Flexibility** [326 IAC 2-7-20] [326 IAC 2-7-10.5]

---

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c). **Notification requirement per (a)(4) of this condition does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under 326 IAC 21 or 326 IAC 10-4.**

**Comment 7:**

Condition B.22(a) - Inspection and Entry: Revise part (a) to read *"Enter upon the permittee's premises where a Part 70 source is located, ~~or emissions related activity is conducted~~, or where records must be kept made available under the conditions of this permit;"* References to where an emission related activity is conducted is irrelevant in this case, and replacing "kept" with "made available" will allow for electronic storage accessible from the site even if the server is at another location.

**Response 7:**

Pursuant to 326 IAC 2-7-6, the IDEM, OAQ has the authority to inspect the permittee's premises where a Part 70 source is located or emissions related activity is conducted. In order for the IDEM, OAQ to inspect a source, access is needed to all areas where emissions related activities are conducted. Language will be added to Condition B.22(a) (now Condition B.21(a)) to allow for records to be electronically accessible at the source. Therefore, Condition B.22(a) (now Condition B.21(a)) is revised as follows:

**B.2221 Inspection and Entry** [326 IAC 2-7-6] [IC 13-14-2-2][IC 13-30-3-1]

---

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be **kept physically present or electronically accessible** under the conditions of this permit;

**Comment 8:**

Condition B.22(b) - Inspection and Entry: Revise part (b) to read *"As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, ~~have access to and copy~~ may review and request copies of any records that must be kept under the conditions of this permit;"* In cases in which documents

are stored and accessible electronically, PSI will be happy to provide copies as requested, but cannot provide access to electronic systems.

**Response 8:**

Condition B.22(b) (now Condition B.21(b)) has been revised to allow for records to be electronically accessible at the source as follows:

**B.2221 Inspection and Entry** [326 IAC 2-7-6] [IC 13-14-2-2][IC 13-30-3-1]

---

- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any **physically present or electronically accessible** records that must be kept under the conditions of this permit;

**Comment 9:**

Condition B.24(a) - Annual Fee Payment: Revise to read: *"The Permittee shall pay applicable annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing."*

**Response 9:**

Condition B.24(a) (now Condition B.23(a)) has been revised as follows to indicate that only applicable annual fees must be paid by the permittee.

**B.2423 Annual Fee Payment** [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]

---

- (a) The Permittee shall pay **applicable** annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

**Comment 10:**

Section C - Source Operation Conditions

Condition C.1 - Particulate Emission Limitations for Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour: Delete this condition, it is not applicable to any processes at this source. In C.1(a), 40 CFR 52 Subpart P is not applicable. Additionally, C.1(a) which cites 40 CFR 52 conflicts with C.1(b) which states *"This condition is not federally enforceable."*

**Response 10:**

The revisions to 326 IAC 6-3 that were adopted on February 6, 2002, and became effective on June 12, 2002, clarify the intent that 326 IAC 6-3-2 does apply to processes with a process weight rate less than 100 pounds per hour. If the Permittee has no processes with a process weight rate less than 100 pounds per hour, this condition would not apply. Also, because the permit identifies the applicable requirement for small units, insignificant activities and many other small units may be able to be added without a permit modification. Removal of this condition would cause the Permittee to apply for a permit modification to add any small unit or insignificant activity. Therefore, there has been no change to the permit as a result of this comment.

**Comment 11:**



Condition C.6 - Operation of Equipment: Modify to read: *"Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times, consistent with safe and proper operation of equipment, that the emission units vented to the control equipment are in operation."* Thus revision will provide for the times when the water injection system cannot be in operation, such as startup and shutdown. Further, this revision is consistent with the current permit, CP 065-1049-00032.

**Response 11:**

In order to be consistent with CP 065-10469-00032, after further review, the IDEM, OAQ has changed Condition C.6 as follows:

**C.6**     Operation of Equipment [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times, **consistent with safe and proper operation of equipment** that the emission units vented to the control equipment are in operation.

**Comment 12:**

Condition C.8(c) - Performance Testing: At the end of part (c), add sentence *"The submittal of a third party test report by the permittee does not require certification by the Responsible Official as defined by 326 IAC 2-7-1(34)."* A test report prepared and signed by a testing contractor should not require the additional certification of the Responsible Official.

**Response 12:**

Pursuant to 326 IAC 2-7-6(1), any test report shall be certified by the responsible official. If a third party conducts the test, the responsible official shall certify that the test accurately reflects the emissions from the facilities located at the source. Therefore, no changes have been made to the permit as a result of this comment.

**Comment 13:**

Condition C.11(a), Maintenance of Continuous Emission Monitoring Equipment: Revise (a) to read: *"The Permittee shall ~~install~~ calibrate, maintain and operate all necessary continuous emission monitoring systems (CEMS) and related equipment as specified in Section D".* This equipment is already installed.

**Response 13:**

The Continuous Emission Monitoring System (CEMS) has already been installed at this source, and all related equipment is listed in Section D. Therefore, Condition C.11(a) has been revised as follows:

**C.11**     Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

(a)     The Permittee shall ~~install~~, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment **as specified in Section D**.

**Comment 14:**

Condition C.12 - Monitoring Methods: Revise to read: *"Any monitoring or testing required by Section*

*D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60 Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, 40 CFR 75, or other approved methods as specified in this permit."*

**Response 14:**

The reference to 40 CFR 75 has been added in Condition C.12 as follows:

**C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, **40 CFR 75**, or other approved methods as specified in this permit.

**Comment 15:**

Condition C.15(a)(1) - Compliance Response Plan: Delete the last portion of the condition "~~and an expected timeframe for taking reasonable response steps~~".

**Response 15:**

A plan that can minimize the amount of excessive emissions should include a time frame for taking reasonable response steps. Therefore, there are no changes made to this condition as a result of this comment.

**Comment 16:**

Condition C.15(a)(2), Compliance Response Plan: Delete this provision. PSI does not agree that each unique problem encountered and appropriate response should be added to the CRP or OMM. The CRP should concentrate on the most likely and common problems encountered and quick response, and should be flexible enough to allow for the unique. Adding each and every problem encountered would eventually create a very large, cluttered and unmanageable document, potentially slowing down the response process in contradiction to the intent of the Compliance Response Plan requirement.

**Response 16:**

IDEM disagrees with the commentator. The condition requires the Permittee to update the CRP with response steps in the event that response steps are taken that are not already included in the CRP. In the event that similar response steps are needed in the future, it is beneficial to have it documented for whoever is available to know what response steps should be taken. This is a good business practice and may prevent future environmental problems. This provision allows the Permittee to respond in a manner that is not listed in the CRP. Many applicants had expressed a concern that they could be in technical violation if the appropriate response was not listed in the CRP. Therefore, Condition C.15 (a)(2) will not be deleted and no changes are made as a result of this comment.

**Comment 17:**

Condition C.15(b) - Compliance Response Plan: Modify to read: "~~For each compliance monitoring condition of permit~~ Reasonable response steps shall be taken when indicated by the provision of that compliance monitoring condition as follows:"

**Response 17:**

Condition C.15(b) has been changed as suggested, with language added for clarification. The changes are as follows:

C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5]  
[326 IAC 2-7-6]

---

- (b) ~~For each compliance monitoring condition of this permit, r~~Reasonable response steps shall be taken when indicated by the provisions of ~~that~~ **each** compliance monitoring condition as follows:

**Comment 18:**

Condition C.15(b)(3) - Compliance Response Plan: Delete section (b)(3). Sources should be allowed to shut down equipment at their own discretion without notification to IDEM. Additionally, if shutdown of equipment is necessary, the source must be more concerned with the proper shutdown of equipment than notification of IDEM.

**Response 18:**

Condition C.15(b)(3), has been revised. This notification requirement has been modified to apply only to situations where the emissions unit will continue to operate for an extended time while the compliance monitoring parameter is out of range. It is intended to provide the IDEM, OAQ an opportunity to assess the situation and determine whether any additional actions are necessary to demonstrate compliance with applicable requirements. Condition C.15(b)(3) is changed. In addition, failure to take reasonable response steps shall be considered deviation of the permit; therefore, Condition C.15(b)(4)) has been revised. The changes are as follows:

C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC.2-7-5] [326 IAC 2-7-6]

---

- (b) ~~For each compliance monitoring condition of this permit, r~~Reasonable response steps shall be taken when indicated by the provisions of ~~that~~ **each** compliance monitoring condition as follows:
- (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down; **and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ** ~~shall be promptly notified~~ of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.
- (4) Failure to take reasonable response steps shall ~~constitute a violation of~~ **be considered a deviation from** the permit.

**Comment 19:**

Condition C.15(e) - Compliance Response Plan: Revise first sentence to read: *"The Permittee shall record all instances when, in accordance with Section D, the response steps required in Section D are taken as required by this permit."*

**Response 19:**

Condition C.15(e) had been revised as suggested:

C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5]  
[326 IAC 2-7-6]

---

- (e) The Permittee shall record all instances when, ~~in accordance with Section D,~~ the response steps **required in Section D** are taken ~~as required by this permit.~~ In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

**Comment 20:**

Condition C.17(a)(2) - Emission Statement: Delete provision (a)(2).

**Response 20:**

Pursuant to 326 IAC 2-7-19(c), the IDEM, OAQ has the authority to require an annual emissions statement to determine the total tons of actual emissions of each regulated air pollutant, for the purposes of Part 70 fee assessment. Regulated pollutants must be reported under C.17(a)(2) only if they are not accounted for under (a)(1). For example, Hazardous Air Pollutants are not required to be reported under (a)(2) if they have been reported as VOC or PM under (a)(1). Therefore, no changes are being made as a result of this comment.

**Comment 21:**

Condition C.18(a), General Record Keeping Requirements: Revise last sentence, starting line 6, to read *"If the Commissioner makes a reasonable request for records to the Permittee..."*.

**Response 21:**

In order to assure compliance, IDEM may request any records that must be kept under the conditions of this permit at any time. Pursuant to 326 IAC 2-7-5(3)(B)(ii), the Permittee is required to make records available upon request. It is a reasonable request to review records to assure compliance. Therefore, it is not necessary to add the suggested language, and no change has been made to this condition as a result of this comment.

**Comment 22:**

Condition C.19(a) - General Reporting Requirements: Modify first sentence to read: *"If this permit contains compliance monitoring requirements, the source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent."* This language is taken from an appeal resolution on permit 169-7245-00034 (3/14/03) and permit 041-7242-00009 (3/17/03), and is appropriate in this permit as well.

**Response 22:**

IDEM disagrees with the commentator and believes this language is not appropriate for this permit. In this permit the Quarterly Deviation and Compliance Monitoring Report is used to report any deviations from permit requirements and is not restricted to deviations only from compliance monitoring conditions. There is an exception that deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be reported in the Quarterly Deviation and Compliance Monitoring Report. The Permittee will need to use this form or its equivalent to report any deviation that is not required to be reported by

another applicable requirement. Therefore, no change has been made as a result of this comment.

**Comment 23:**

Condition C.19(d) - General Reporting Requirements: Revise second sentence to read: ~~All Reports do that require the certification~~ shall be signed by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Response 23:**

Responsible officials are not simply to sign the report forms. In accordance with 326 IAC 2-7-4(f), reports shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. The way the condition is stated by IDEM more accurately reflects the requirement of 326 IAC 2-7-(3)(C)(i) and 326 IAC 2-7-4(f). Therefore, there are no changes to the permit as a result of this comment.

**Comment 24:**

Condition C.19 - General Reporting Requirements: Add provision C.19(f) which states: "Submittal of the reports required by this section, and reports required by the Reporting Requirements section of Section D shall fulfill all reporting requirements for this source."

**Response 24:**

This permit does not contain all the specific NO<sub>x</sub> budget reporting requirements, but instead refers to the rule. Also in the future the Permittee may be subject to other new applicable requirements (for example a NESHAP) that may require additional reporting that has not been included in this permit. Therefore, no change has been made to the permit as a result of this comment.

**Comment 25:**

Section D - Facility Operation Conditions

Section D.1 - Facility Description: Modify end of description to read, "... exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each." The rating of the combustion turbines can vary significantly based on operating conditions: therefore it is appropriate to label the rating as nominal.

**Response 25:**

The equipment list in Section D.1 has been revised as shown in Response 1.

**Comment 26:**

Condition D.1.2 - NO<sub>x</sub> Limitations and Condition D.1.3, CO Limitations: Delete references to 40 CFR 52.21.

**Response 26:**

On March 3, 2003, U.S. EPA published a notice for "Conditional Approval of Implementation Plan:

Indiana" in the Federal Register / Vol. 68, No.41 at pages 9892 through 9895. This notice grants conditional approval to the PSD State Implementation Plan (SIP) under provisions of 40 CFR §51.166 and 40 CFR §52.770 while superceding the delegated PSD SIP authority under 40 CFR §52.793. The effective date for these provisions is April 2, 2003. Therefore, the PSD permits will be issued under the authority of 326 IAC 2-2 and will no longer be issued under the provision of 40 CFR 52.21 and 40 CFR 124. Conditions D.1.2 and D.1.3 have been revised as requested based on the PSD SIP approval status.

**D.1.2 NO<sub>x</sub> Limitations [326 IAC 2-2] ~~[40 CFR 52.21]~~**

Pursuant to CP 065-10469-00032, issued on July 15,1999, the potential to emit of NO<sub>x</sub> from the three (3) combustion turbines shall be limited to less than a total of 249.7 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Therefore, the Prevention of Significant Deterioration (PSD) rules 326 IAC 2-2 ~~and 40 CFR 52.21~~ will not apply.

**D.1.3 CO Limitations [326 IAC 2-2] ~~[40 CFR 52.21]~~**

Pursuant to CP 065-10469-00032, issued on July 15,1999, the potential to emit of CO from the three (3) combustion turbines shall be limited to less than a total of 249.8 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Therefore, the Prevention of Significant Deterioration (PSD) rules 326 IAC 2-2 ~~and 40 CFR 52.21~~ will not apply.

**Comment 27:**

Condition D.1.6 - Preventive Maintenance Plan: Revise condition to read: "*A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the ~~three (3) combustion turbines and their~~ emission control devices.*"

**Response 27:**

326 IAC 2-7-4(c)(9) and 326 IAC 2-7-5(13) require Preventive Maintenance Plans as described in 326 IAC 1-6-3. That section applies to operating a facility and requires the plan to contain three types of information. One of those is related to control devices. The other two apply more broadly to the facility. Therefore, the permit has not been changed as a result of this comment.

**Comment 28:**

Condition D.1.10, 40 CFR Part 60, Subpart GG Compliance Requirements: This provision is a Compliance Determination Requirement, and not a Compliance Monitoring Requirement, therefore the preceding Section Heading "*Compliance Monitoring Requirements*" should be deleted. By definition provided in the Technical Support Document, Compliance Determination Requirements are those "conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action." This condition comes directly from 40 CFR 60, Subpart GG, and thereby is a Compliance Determination and not a Compliance Monitoring Requirement.

**Response 28:**

IDEM, OAQ agrees Compliance Determination Conditions are "conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action." Condition D.1.10 comes directly from 40 CFR 60, Subpart GG, and if the source was not in compliance with this condition, it would be considered a violation of the permit. Therefore, Condition D.1.10 (now Condition D.1.11) will be moved to the Compliance Determination section as requested. However, the source still must comply with the monitoring requirements contained in Conditions D.1.8

(now Condition D.1.9), D.1.9 (now Condition D.1.10), and D.1.10 (now Condition D.1.11). The change is as follows:



**~~Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]~~**

**Compliance Determination Requirements**

**D.1.101 40 CFR Part 60, Subpart GG Compliance Requirements (Stationary Gas Turbines)**

Pursuant to 40 CFR Part 60, Subpart GG, the Permittee shall operate a Continuous Monitoring System to monitor and record the fuel consumption and the ratio of water to fuel being fired in each turbine, as required by 40 CFR 60.334(a).

**Comment 29:**

Condition D.1.11(b) - Record Keeping Requirements: Change reference to D.1.8 to D.1.7.

**Response 29:**

Condition D.1.11(b) (now D.1.12(b)) has been revised as requested:

**D.1.142 Record Keeping Requirements**

(b) To document compliance with Condition D.1.8 7, the Permittee shall maintain records of the natural gas analyses, including the sulfur and nitrogen content of the gas, for a period of five (5) years.

**Comment 30:**

Condition D.1.12 - Reporting Requirements: Add sentence preceding (a) to state: "Submittal of the reports required by this section shall fulfill all reporting requirements for the source."

**Response 30:**

The Permittee is required to submit other reports besides the reports required in Condition C.19 and Section D. Therefore, no changes have been made to the permit as a result of this comment.

**Comment 31:**

Section E.1 - Facility Description: Modify end of description to read, "... *exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.*" The rating of the combustion turbines can vary significantly based on operating conditions; therefore it is appropriate to label the rating as nominal.

**Response 31:**

Section E.1 has been changed as requested, to be consistent with Condition A.1 and Section D.1. The Acid Rain Permit will not need to be revised to reflect this change. The change is as follows:

**SECTION E**

**TITLE IV CONDITIONS**

Facility Description [326 IAC 2-7-5(15)]

Three (3) combustion turbines, firing natural gas or No. 2 fuel oil, designated as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, **nominally** rated at 407.8 million British thermal units, each.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

**Comment 32:**

Forms

Emergency Occurrence Report form: In the first information submittal box, first bullet, modify statement to read: *"The Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime business hours ..."* This change is consistent with the Emergency provision contained in section B.12(b)(4).

**Response 32:**

The Emergency Occurrence Report Form has been revised as suggested to be consistent with Condition B.12(b)(4):

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
- C The Permittee must notify the Office of Air Quality (OAQ), within four (4) **daytime** business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
  - C The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

**Comment 33:**

Technical Support Document

TSD Page 1 of 11 - Permitted Emission Units and Pollution Control Equipment: Modify end of description to read, "... *exhausting to stacks 1 through 3, nominally rated at 407.8 million British thermal units, each.*" The rating of the combustion turbines can vary significantly based on operating conditions; therefore it is appropriate to label the rating as nominal.

**Response 33:**

IDEM, OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

The equipment list in Condition A.2 and Section D.1 have been revised as shown in Comment/Response 1.

**Comment 34:**

TSD Page 1 of 11, Permitted Emission Units Which Were Not Installed: Revise second paragraph to read: "These tanks ~~have not been~~ installed within 18 months of issuance of CP 065-10469-00032. The Permittee has committed to the Indiana Regulatory Commission that these tanks will not be installed. Therefore, if the source decides to install these tanks, a separate approval will be required. PSI agrees that the tanks have not been installed, and that a new approval will be required if a decision is ever made to install the tanks. However, PSI does not agree with the implication that the tanks had to be individually installed within 18 months of permit issuance. The requirement to commence construction within 18 months of permit issuance applies to the entire source, and not the individual facilities.

**Response 34:**

IDEM, OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

It is duly noted that the source has indicated that they do not plan on installing these tanks. This comment has no bearing on the equipment list or any conditions in the permit.

**Comment 35:**

On May 19, 2003, resident Glen Abrams (P.O. Box 521, New Castle) submitted comments on the proposed Part 70 Operating Permit. On June 2, 2003, an unnamed resident submitted comments on the proposed Part 70 Operating Permit. The comments are as follows: The permit language, if changed, has deleted language as ~~strikeouts~~ and new language **bolded**.

No one listened when the citizens of Henry County first opposed the building of the "peak" power plant. No one listened when the citizens of Henry County opposed the sale of the plant with its cost being passed on to the rate payers. Why do you bother?

On June 2, 2003, an unnamed resident submitted comments on the proposed Part 70 Operating Permit. The comments are as follows:

I agree with this article completely. We fought this as long as we could, but I think the original investors minds were already made up. They were going to build regardless of what our people thought. Now that they did not make the money they expected of their investment, they wanted out. Do you realize that over 20 people who go to the Cadiz Christian Church have cancer? Doesn't that tell you something about Peaking Plant . . .

**Response 35:**

This proposed Part 70 Operating Permit contains no new construction and is intended to ensure that PSI Energy, Inc. Henry County Generating Station is operating in accordance with all applicable state and federal air quality regulations. A permit would be denied if the application did not meet the requirements of 326 IAC 2 or if the source would pose a threat to public health. Furthermore, appropriate enforcement actions would be taken for all violations. IDEM Inspector D.J. Knotts can be contacted at 317-232-8438 for any complaints related to air pollution from this source. No change to

the permit was made as a result of this comment.

On May 20, 2003, residents Larry and Polly McCord, and LP Greenhouse, through their attorney, David L. McCord (850 Maple Street, Middletown) submitted comments on the proposed Part 70 Operating Permit. The comments are as follows: The permit language, if changed, has deleted language as ~~strikeouts~~ and new language **bolded**.

**Comment 36:**

I am writing to you on behalf of LP Greenhouse and Larry and Polly McCord who are concerned persons in regard to the Part 70 Permit that is being sought by PSI Energy, Inc. at the Henry County Generating Station. My clients, as they have been from the beginning of the discussion in regard to this Plant, would be opposed to the issuance of any new permits to PSI Energy, Inc. I would request on their behalf that they receive any further notice in regard to this matter, including, but not limited to, notice of the decision on this matter.

**Response 36:**

Please note this proposed Part 70 Operating Permit contains no new construction and is intended to ensure that PSI Energy, Inc. Henry County Generating Station is operating in accordance with all applicable state and federal air quality regulations. Since a request has been made the IDEM, OAQ will automatically send Mr. David L. McCord located at 850 Maple Street, Suite 3, P.O. Box 115, Middletown, Indiana 47356, who represents the above, all decisions and notices on this matter. A copy of the TSD Addendum will also be sent.

Upon further review, the OAQ has decided to make the following changes to the Part 70 Operating Permit: The permit language is changed to read as follows (deleted language appears as ~~strikeouts~~, new language is **bolded**):

**Change 1:**

The language in Condition B.8 has been moved to the front page of the Part 70 Operating Permit as follows:

**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

Therefore, Condition B.8 has been deleted as follows, and all subsequent B Conditions have been re-numbered accordingly:

~~B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]~~

~~(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:~~

- (1) ~~Enforcement action;~~
- (2) ~~Permit termination, revocation and reissuance, or modification; or~~
- (3) ~~Denial of a permit renewal application.~~
- (b) ~~Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.~~
- (c) ~~It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.~~
- (d) ~~An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.~~

## **Indiana Department of Environmental Management Office of Air Quality**

### **Technical Support Document (TSD) for a Part 70 Operating Permit**

#### **Source Background and Description**

**Source Name:** PSI Energy, Inc. Henry County Generating Station  
**Source Location:** 6045 West State Road 38, New Castle, IN 47632  
**County:** Henry  
**SIC Code:** 4911  
**Operation Permit No.:** T 065-15440-00032  
**Permit Reviewer:** Craig J. Friederich

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from PSI Energy, Inc. Henry County Generating Station, relating to the operation of a stationary power plant.

#### **Permitted Emission Units and Pollution Control Equipment**

The source consists of the following permitted emission units and pollution control devices:

Three (3) simple-cycle combustion turbines, firing natural gas, identified as Units 1 through 3, installed in November 1999, equipped with water-injection for NO<sub>x</sub> control, exhausting to stacks 1 through 3, rated at 407.8 million British thermal units, each.

#### **Permitted Emission Units Which Were Not Installed**

Two (2) fuel oil storage tanks, designated as A and B, with a maximum combined annual throughput of 22 million gallons per year and exhausts to the atmosphere. Tank A has a maximum capacity of 250,000 gallons and Tank B has a maximum capacity of 500,000 gallons.

These tanks were not installed within 18 months of issuance of CP 065-10469-00032. Therefore, if the source decides to install these tanks, a separate approval will be required.

#### **Unpermitted Emission Units and Pollution Control Equipment**

There are no unpermitted facilities operating at this source during this review process.

#### **New Emission Units and Pollution Control Equipment Receiving Advanced Source Modification Approval**

There are no new facilities proposed at this source during this review process.

#### **Insignificant Activities**

The source also consists of the following insignificant activities, which were not included in CP 065-10469-00032, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, rated at a total of 0.48 million British thermal units per hour, including:
  - (1) Four (4) space heaters, rated at 0.10 million British thermal units per hour, each.
  - (2) One (1) space heater, rated at 0.08 million British thermal units per hour.
- (b) The following VOC and HAP storage containers: Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons; vessels storing lubricating oil, hydraulic oils, machining oils, and machining fluids, including:

Six (6) drums of lubricating oils, capacity: 55 gallons.
- (c) Application of oils, greases lubricants or other nonvolatile materials applied as temporary protective coatings.
- (d) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1 percent by volume.
- (e) Noncontact cooling tower systems with either of the following: forced and induced draft cooling tower system not regulated under a NESHAP.
- (f) Paved and unpaved roads and parking lots with public access.
- (g) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (h) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (i) On-site fire and emergency response training approved by the department.
- (j) Other activities or categories not previously identified with emissions equal to or less than the insignificant thresholds of five (5) pounds per hour or twenty-five (25) pounds per day for PM, SO<sub>2</sub>, and/or NO<sub>x</sub>, three (3) pounds per hours or fifteen (15) pounds per day for VOC, twenty-five (25) pounds per day for CO or 0.6 tons per year or 3.29 pounds per day of lead:

One (1) waste oil tank, identified as Tank 3, installed in 1999, exhausting to the atmosphere, with a maximum capacity of: 5,312 gallons of waste oil.

### Existing Approvals

The source has been operating under previous approvals under the name CinCap VII, LLC. including, but not limited to, the following:

- (a) CP 065-10469-00032, issued on July 15, 1999;
- (b) AA 065-11632-00032, issued on February 8, 2000; and
- (c) AR 065-10505-00032, issued on June 1, 2001.

All conditions from previous approvals were incorporated into this Part 70 permit except the following:

CP 065-10469-00032, issued on July 15, 1999.

- (a) Condition D.1.4 40 CFR Part 60, Subpart Kb applicability for the storage tanks;

Reason not incorporated: The two (2) fuel oil storage tanks, identified as Tank A and Tank B, were not installed at the source.

- (b) Condition D.1.2, the Fuel Oil and Sulfur Content Limitations to make the requirements of 326 IAC 2-2 not applicable;

Reason not incorporated: The source does not have the capability to operate fuel oil and will only operate using natural gas. Therefore, a fuel oil limitation and sulfur content limitation are no longer applicable.

- (c) Conditions D.1.5 and D.1.9, the 326 IAC 7-1 Sulfur Dioxide Emission Limitation and Compliance Condition;

Reason not incorporated: The source does not have the capability to operate fuel oil and will only operate using natural gas. The potential to emit SO<sub>2</sub> from the three (3) simple-cycle combustion turbines is less than twenty-five (25) tons per year, therefore, the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations) are not applicable.

#### **Enforcement Issue**

There are no enforcement actions pending.

#### **Recommendation**

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

The Affidavit of Construction was received on June 15, 2001.

An administratively complete Part 70 permit application for the purposes of this review was received on April 2, 2002. Additional information was received on July 1, 2002.

There was no notice of completeness letter mailed to the source.

#### **Emission Calculations**

See Appendix A (pages 1 through 4 of 4) of this document for detailed emissions calculations

#### **Potential To Emit**

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary



source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA.”

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

<b>Pollutant</b>	<b>Potential To Emit (tons/year)</b>
PM	15.8
PM <sub>10</sub>	29.8
SO <sub>2</sub>	16.1
VOC	48.2
CO	1,752
NO <sub>x</sub>	589

Note: For the purpose of determining Title V applicability for particulates, PM<sub>10</sub>, not PM, is the regulated pollutant in consideration.

<b>HAPs</b>	<b>Potential To Emit (tons/year)</b>
1,3 Butadiene	0.002
Acetaldehyde	0.214
Acrolein	0.034
Benzene	0.064
Ethyl benzene	0.171
Formaldehyde	3.80
Naphthalene	0.007
PAH	0.012
Propylene Oxide	0.155
Toluene	0.697
Xylenes	0.343
<b>TOTAL</b>	<b>5.50</b>

Note: The potential to emit tables are different than those in CP 065-10469-00032 because the revised AP-42 emission factors from April 2000 for the three (3) simple-cycle combustion turbines have been used and the source is no longer permitted to use fuel oil, therefore, all potential to emit calculations are based on natural gas usage. Also, potential emissions from

insignificant activities have been added.

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of CO and NO<sub>x</sub> are equal to or greater than one hundred (100) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) Fugitive Emissions

Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

### Actual Emissions

No previous emission data has been received from the source.

### Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 Operating Permit.

	Limited Potential to Emit (tons/year)						
Process/facility	PM	PM <sub>10</sub>	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	HAPs
Three (3) Combustion Turbines	10.2	25.2	16.1	48.2	less than 249.8	less than 249.7	single less than 10, total less than 25
Insignificant Activities	5.56	4.57	0.0013	0.012	0.177	0.210	negligible
Total Emissions	15.8	29.8	16.1	48.2	less than 250	less than 250	single less than 10, total less than 25

Notes: The limited potential to emit NO<sub>x</sub> is based on a less than 249.7 ton per year limit, and the limited potential to emit CO is based on a less than 249.8 ton per year limit. These limits will ensure compliance with the source-wide less than two-hundred fifty (250) ton per year limit. Compliance with these limits shall be demonstrated by a continuous emissions monitoring system.

The source has no fuel usage limits, therefore, the limited potential to emit PM, PM<sub>10</sub>, SO<sub>2</sub>, and VOC is the full potential to emit of the turbines. The fuel usage limits contained in CP 065-10469-00032 are no longer necessary, because the source is no longer permitted to use fuel oil.

**County Attainment Status**

The source is located in Henry County.

Pollutant	Status
PM <sub>10</sub>	attainment
SO <sub>2</sub>	attainment
NO <sub>2</sub>	attainment
Ozone	attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Henry County has been designated as attainment or unclassifiable for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (b) Henry County has been classified as attainment or unclassifiable for all remaining criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (c) Fugitive Emissions  
  
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

#### Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

#### Federal Rule Applicability

- (a) The three (3) combustion turbines are subject to 40 CFR Part 60, Subpart GG because the heat input at peak load is equal to or greater than 10.7 gigajoules per hour, based on the lower heating value of the fuel fired.

Pursuant to 326 IAC 12-1 and 40 CFR 60, Subpart GG (Stationary Gas Turbines), the Permittee shall:

- (1) Limit nitrogen oxides emissions, as required by 40 CFR 60.332, to:

$$\text{STD} = 0.0075 \frac{(14.4)}{Y} + F,$$

where STD = allowable NO<sub>x</sub> emissions (percent by volume at 15 percent oxygen on a dry basis).

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peck load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO<sub>x</sub> emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.

- (2) Operate a Continuous Monitoring System to monitor and record the fuel consumption and the ratio of water to fuel being fired in each turbine as required by 40 CFR 60.334(a);
- (3) Limit sulfur dioxide emissions, as required by 40 CFR 60.333, to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to 0.8 percent by weight;
- (4) Monitor the sulfur content and nitrogen content of the fuel being fired in the turbine, as required by 40 CFR 60.334(b). The custom schedule for the three (3) turbines shall be the following:

Monitor the natural gas combusted through the analysis of pipeline gas from the natural gas supplier. Gas samples shall be taken once a calendar quarter at the closest proximity to the site of the turbines. In the event of less than thirty (30) days of the turbines operation in a quarter, the quarterly sampling is waived. For these purposes, one day of operation shall be defined as any day that gas is burned for more than one (1) hour. Quarterly sampling and analysis of the gas shall be performed according to ASTM methods in 60.335(a) and 60.335(d); and

- (5) Report periods of excess emissions, as required by 40 CFR 60.334(c).
- (b) The one (1) waste oil tank, identified as Tank 3, installed in 1999, classified as an insignificant activity, is not subject to the requirements of New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.110b - 117b, Subpart Kb) because even though it was constructed after the rule applicability date of July 23, 1984, it's storage capacity is less than forty (40) meters cubed, or 10,566 gallons.
- (c) This source is subject to the requirements of 40 CFR Part 72 through 80 (Acid Rain Program). The requirements of this program shall be detailed in the Acid Rain, Phase II Permit. The source received their Acid Rain, Phase II permit on June 1, 2001.
- (d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20, 40 CFR 61 and 40 CFR Part 63) applicable to this source.
- (e) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because the source is not a major source of HAPs (i.e., the

source does not have the potential to emit 10 tons per year or greater of a single HAP or 25 tons per year or greater of a combination of HAPs).

### **State Rule Applicability - Entire Source**

#### **326 IAC 1-5-2 (Emergency Reduction Plans)**

Pursuant to CP 065-10469-00032, the source submitted an Emergency Reduction Plan (ERP) on October 22, 2001. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans).

#### **326 IAC 2-2 (Prevention of Significant Deterioration)**

This source, constructed in 1999, is a minor source pursuant to this rule because it is not one of the twenty-eight (28) major PSD Source Categories because the three (3) combustion turbines are simple-cycle and not steam generating, and all criteria pollutants are limited to less than two-hundred fifty (250) tons per year as shown below:

- (a) The potential to emit of NO<sub>x</sub> from the three (3) combustion turbines shall be limited to less than 249.7 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. Compliance will be shown using CEMS data. Therefore, the Prevention of Significant Deterioration (PSD) rules, 326 IAC 2-2 and 40 CFR 52.21, will not apply.
- (b) The potential to emit of CO from the three (3) combustion turbines shall be limited to less than 249.8 tons per twelve (12) consecutive month period, with compliance determined at the end of each month. Compliance will be shown using CEMS data. Therefore, the Prevention of Significant Deterioration (PSD) rules, 326 IAC 2-2 and 40 CFR 52.21, will not apply.
- (c) The source shall be required to operate the continuous emission monitoring system (CEMS) pursuant to CP 065-10469-00032, issued on July 15, 1999, in accordance with 326 IAC 3-5, to demonstrate compliance with the above mentioned NO<sub>x</sub> and CO limits. In periods of downtime, compliance shall be demonstrated by using EPA's AP-42 emission Factors, tables 3.1-2 and 3.1-3 or by an approved alternative method as described in the operating permit. Emissions shall be calculated by multiplying the heat input capacity times the appropriate emission factor.

#### **326 IAC 2-6 (Emission Reporting)**

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than one hundred (100) tons per year of CO and NO<sub>x</sub>. Pursuant to this rule, the owner/ operator of the source must annually submit an emission statement for the source. The annual statement must be received by July 1 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year).

#### **326 IAC 3-5 (Continuous Monitoring of Emissions)**

- (a) Pursuant to 326 IAC 3-5, continuous emission monitoring systems for the three (3) simple-cycle combustion turbines shall be calibrated, maintained and operated for measuring NO<sub>x</sub>, and CO emission rates in pounds per hour from stacks 1 through 3 in accordance with performance specifications in 326 IAC 3-5-2.
- (b) The Permittee shall submit to IDEM/OAQ, within ninety (90) days after monitor installation, a complete written continuous monitoring standard operating procedure (SOP), in accordance

with the requirements of 326 IAC 3-5-4. This plan was submitted on December 18, 2001.

- (c) The Permittee shall record the output of the system and shall perform the required record keeping, pursuant to 326 IAC 3-5-6, and reporting, pursuant to 326 IAC 3-5-7.
- (d) In instances of downtime, the source shall comply with the relevant requirements of 40 CFR 75 Subpart D- Missing Data Substitution Procedures.
- (e) Whenever the CO continuous emission monitoring system is malfunctioning or down for repairs or adjustments, the Permittee shall use a data substitution procedure for the CO CEMs that is consistent with the requirements of 40 CFR 75.33(b), Standard Missing Data Substitution Procedures for SO<sub>2</sub> Concentration Data.

#### 326 IAC 5-1 (Opacity Emissions Limitations)

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary alternative opacity limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR Part 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

#### **State Rule Applicability - Individual Facilities**

##### 326 IAC 2-4.1-1 (New Source Toxics Control)

The three (3) combustion turbines, firing natural gas, identified as Units 1 through 3, installed in November 1999, are not subject to the requirements of 326 IAC 2-4.1-1 (New Source Toxics Control) because the potential to emit each individual hazardous air pollutant (HAP) is less than ten (10) tons per year and the potential to emit total HAPS is less than a total of twenty-five (25) tons per year, total.

##### 326 IAC 6-2-4 (Particulate Emissions Limitations for Facilities Constructed after September 21, 1983)

The three (3) combustion turbines, firing natural gas, identified as Units 1 through 3, installed in 1999, are not subject to the requirements of 326 IAC 6-2-4 (Particulate Emissions Limitations for Facilities Constructed after September 21, 1983) because these combustion units are not used for indirect heating.

##### 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The potential to emit sulfur dioxide from the three (3) simple-cycle combustion turbines is less than twenty-five (25) tons per year, therefore, the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations) are not applicable.



326 IAC 8-1-6 (New facilities; general reduction requirements):

The potential to emit VOC from each of the three (3) combustion turbines, identified as units 1 through 3, is less than twenty-five(25) tons per year. Therefore, the requirements of 326 IAC 8-1-6 are not applicable.

326 IAC 9-1 (Carbon Monoxide Emission Limits):

This source is subject to 326 IAC 9-1 because it is a stationary source of CO emissions commencing operation after March 21, 1972. There are no applicable CO emission limits, under this state rule, established for this type of operation.

326 IAC 10-4 (NO<sub>x</sub> Budget Trading Program)

Pursuant to 326 IAC 10-4-2(16) the unit is considered an "electricity generating unit (EGU)" because it commenced operation on or after January 1, 1999 and serves a generator at any time that has a nameplate capacity greater than twenty-five (25) megawatts that produces electricity for sale under a firm contract to the electric grid. Pursuant to 326 IAC 10-4-1(a)(1), an "EGU" is a NO<sub>x</sub> budget unit. Because this source meets the criteria of having one (1) or more NO<sub>x</sub> budget units, it is a NO<sub>x</sub> budget source. The Permittee shall be subject to the requirements of this rule.

Since this unit commenced operation after May 1, 2000, the unit was not allocated NO<sub>x</sub> allowances for the 2004, 2005, and 2006 ozone seasons from the existing EGU budget under 326 IAC 10-4-9(b)(1)(A). Therefore, if the NO<sub>x</sub> authorized account representative requires NO<sub>x</sub> allowances to be allocated, the NO<sub>x</sub> authorized account representative shall submit a written request to the IDEM, OAQ for NO<sub>x</sub> allowances in accordance with 326 IAC 10-4-9(e)(2) and (3).

## Testing Requirements

All testing requirements from previous approvals were incorporated into this Part 70 operating permit:

Initial stack tests for Unit's 1 through 3 were performed on September 20, September 21, and September 27, 2001, respectively. There is certification testing required for the CEMS system once per year. No additional stack testing is required in this permit.

## Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a

source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

The compliance monitoring requirements applicable to the three (3) combustion turbines, identified as units 1 through 3, are outlined under Federal Rule applicability requirements for Subpart GG, listed above, and State Rule applicability for 326 IAC 3-5, listed above.

## **Conclusion**

The operation of this stationary power plant shall be subject to the conditions of the attached proposed **Part 70 Permit No. T 065-15440-00032.**

## Appendix A: Emission Calculations

Page 1 of 4 TSD App A

### Natural Gas Combustion

MMBTU/HR >100

Three Combustion Turbines

Company NPSI Energy, Inc. Henry County Generating Station

Address C 6045 West State Road 38, New Castle, IN 47632

Part 70: T 065-15440

Plt ID: 065-00032

Reviewer: Craig J. Friederich

Date: April 2, 2002

3  
Combustion  
Turbines  
rated at  
407.8  
MMBtu  
Each

### Natural Gas

Heat Input Capacity  
MMBtu/hr

Potential Throughput  
MMCF/yr

1223.4

10717.0

	Pollutant					
	PM	PM10	SO2	NOx*	VOC*	CO*
Emission Factor in lb/MMBtu	0.002	0.005	0.003	0.110	0.009	0.327
Potential Emission in tons/yr	10.2	25.2	16.1	589	48.2	1752

\*PM emission factor is filterable PM only. PM10 emission factor is condensable and filterable PM10 combined.

### Methodology

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

Emission Factors from AP 42 (April 2000) Chapter 3, Tables 3.1-1 and 3.1-2

\*Emission factors for NO<sub>x</sub>, VOC, and CO are from vendor analysis

Emission (tons/yr) = Heat Input Capacity (MMbtu/hr) \* Emission factor (lb/MMbtu) \* 8760 hr/yr /2000 lb/ton

Company Name PSI Energy, Inc. Henry County Generating Station  
Address City IN 6045 West State Road 38, New Castle, IN 47632

Part 70: T 065-15440

Plt ID: 065-00032

Reviewer: Craig J. Friederich

Date: April 2, 2002

**Three (3) Combustion Turbines rated at 407.8 MMBtu/hr each**

Pollutant	Emission Factor (lb/MMBtu)	Emission Rate per Turbine (lbs/hr)	Emission Rate per Turbine (ton/yr)	Total Emissions (Units 1-3) (tons/yr)
<b>Natural Gas</b>				
1,3 Butadiene	less than 4.3E-7	0.0002	0.001	0.002
Acetaldehyde	4.000E-05	0.016	0.071	0.214
Acrolein	6.400E-06	0.003	0.011	0.034
Benzene	1.200E-05	0.005	0.021	0.064
Ethylbenzene	3.200E-05	0.013	0.057	0.171
Formaldehyde	7.100E-04	0.290	1.27	3.80
Naphthalene	1.300E-06	0.001	0.002	0.007
PAH	2.200E-06	0.001	0.004	0.012
Propylene Oxide	less than 2.9E-6	0.012	0.052	0.155
Toluene	1.300E-04	0.053	0.232	0.697
Xylenes	6.400E-05	0.026	0.114	0.343

**Single HAP: 3.80**  
**Combined HAPS 5.50**

**Methodology**

The emission rate is based on AP-42 Chapter 3.1(April 2000) Emission Factors

**Appendix A: Emissions Calculations    Page 3 of 4 TSD App A**  
**Natural Gas Combustion Only**  
**Insignificant Activities**

**Company PSI Energy, Inc. Henry County Generating Station**  
**Address 6045 West State Road 38, New Castle, IN 47632**  
**Part 70: T 065-15440**  
**Plt ID: 065-00032**  
**Reviewer: Craig J. Friederich**  
**Date: April 2, 2002**

**4 Space heaters rated at 0.10 MMBtu/hr each**

**1 Space heater rated at 0.08 MMBtu/hr**

Heat Input Capacity MMBtu/hr	Potential Throughput MMCF/yr
---------------------------------	---------------------------------

0.4800	4.20
--------	------

	Pollutant					
	PM*	PM10*	SO2	NOx	VOC	CO
Emission Factor in lb/MMCF	1.9	7.6	0.6	100.0 **see below	5.5	84.0
Potential Emission in tons/yr	0.004	0.016	0.0013	0.210	0.012	0.177

\*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.

\*\*Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

### Methodology

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03 (SUPPLEMENT D 3/98)

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

See page 4 for HAPs emissions calculations.

**Appendix A: Emissions Calculations    Page 4 of 4 TSD App A**  
**Natural Gas Combustion Only**  
**MM BTU/HR <100**  
**HAPs Emissions**

**Company PSI Energy, Inc. Henry County Generating Station**  
**Address 6045 West State Road 38, New Castle, IN 47632**  
**Part 70: T 065-15440**  
**Plt ID: 065-00032**  
**Reviewer: Craig J. Friederich**  
**Date: April 2, 2002**

HAPs - Organics

Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichlorobenzene 1.2E-03	Formaldehyde 7.5E-02	Hexane 1.8E+00	Toluene 3.4E-03
Potential Emission in tons/yr	4.42E-06	2.52E-06	1.58E-04	3.78E-03	7.15E-06

HAPs - Metals

Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganese 3.8E-04	Nickel 2.1E-03	Total HAPs
Potential Emission in tons/yr	1.05E-06	2.31E-06	2.94E-06	7.99E-07	4.42E-06	0.004

Methodology is the same as page 3.

The five highest organic and metal HAPs emission factors are provided above.  
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

## **Phase II Acid Rain Permit**

### **INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT Office of Air Quality**

**Source Name:** Henry County Generating Station  
**Source Location:** 6045 West State Road 38  
New Castle, Indiana 47632  
**Operated by:** CinCap MVC OpCo, LLC  
**Owned by:** CinCap VII, LLC  
**ORIS Code:** 7763

The above operator is hereby issued a Phase II Acid Rain Permit subject to the conditions contained herein.

Operation Permit No.: AR No. 065-10505-00032	
Issued by  Original signed by Janet G. McCabe  Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: June 1, 2001  Expiration Date: June 1, 2006



## Section E

## Title IV Acid Rain

Facilities Description: Three (3) simple cycle combustion turbines, utilizing natural gas or No. 2 fuel oil, designated as units 1, 2, and 3, with an anticipated maximum heat input capacity of 407.8 mmBtu/hr per turbine unit with water-injection for NOx emissions control and exhausting to three (3) stacks designated as 1, 2, and 3.

### **E.1.1 Statement of Basis**

---

Statutory and Regulatory Authorities: In accordance with Indiana Code (IC) 13-17-3-4, IC 13-17-3-11, IC 13-17-8-1, and IC 13-17-8-2 as well as Title IV - Acid Deposition Control - Section 400 and Title V – Permits - Section 500 of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) issues this permit pursuant to 326 Indiana Administrative Code (IAC) 2 and 326 IAC 21 (incorporates by reference 40 Code of Federal Regulations (CFR) 72 through 78).

### **E.1.2 Standard Permit Requirements [326 IAC 21]**

---

- (a) The designated representative has submitted a complete Acid Rain Permit application, by submitting an acid rain permit application and compliance plan in accordance with the deadlines in 40 Code of Federal Regulations (CFR) 72.30.
- (b) The owners and operators shall operate the unit in compliance with this Acid Rain Permit.

### **E.1.3 Monitoring Requirements [326 IAC 21]**

---

- (a) The owners and operators and, to the extent applicable, the designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 Code of Federal Regulations (CFR) 75, and 76.
- (b) The emissions measurements shall be recorded and reported in accordance with 40 CFR 75 to determine compliance by each unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or emissions characteristics at the unit required by the Clean Air Act and any provisions of the operating permit for the source.

### **E.1.4 Sulfur Dioxide Requirements [326 IAC 21]**

---

- (a) The owners and operators of each source and each affected unit at the source shall:
  - (1) Hold allowances, as of the allowance transfer deadline [as defined in 40 Code of Federal Regulations (CFR) 72.2], in the unit's compliance subaccount, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (2) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.

- (b) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) An affected unit shall be subject to the requirements under paragraph (a) of the sulfur dioxide requirements as follows: starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2) or starting on the latter of January 1, 2000 or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).
- (d) Allowances shall be transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) These units were not allocated allowances by U.S. EPA under 40 CFR part 73. However, these units must still comply with the requirement to hold allowances to account for sulfur dioxide emissions under E.1.4(a) and 326 IAC 21.
- (f) An allowance allocated by the U.S. Environmental Protection Agency (U.S. EPA) under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Permit application, the Acid Rain Permit, the Acid Rain portion of an operating permit, or the written exemption under 40 CFR 72.7 and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization. Pursuant to 40 CFR 72.9(c)(7), allowances allocated by U.S. EPA do not constitute a property right.
- (g) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

Allowance Allocations for Unit 1					
year	2000	2001	2002	2003	2004
Tons	NAA*	NAA*	NAA*	NAA*	NAA*

Allowance Allocations for Unit 2					
year	2000	2001	2002	2003	2004
tons	NAA*	NAA*	NAA*	NAA*	NAA*

Allowance Allocations for Unit 3					
year	2000	2001	2002	2003	2004
Tons	NAA*	NAA*	NAA*	NAA*	NAA*

\* No Allowance Allocation (NAA), these units have no present sulfur dioxide allowances allocations from U.S. EPA. The allowances shall be obtained from other units to account for the sulfur dioxide emissions from these units as required by 40 CFR 72.9(c).

---

**E.1.5 Excess Nitrogen Oxides Emissions Requirements [40 CFR 76] [326 IAC 21]**

---

Pursuant to 40 Code of Federal Regulations (CFR) 76, Acid Rain Nitrogen Oxides Emission Reduction Program, the units are not subject to the nitrogen oxide limitations set out in 40 CFR 76. The Acid Rain Nitrogen Oxides Emission Reduction Program only applies to units that burn coal or are "coal-fired", as that term is defined in 40 CFR 72.2.

---

**E.1.6 Excess Emissions Requirements [40 CFR 77] [326 IAC 21]**

---

(a) The designated representative of an affected unit that has excess emissions of sulfur dioxide in any calendar year shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 Code of Federal Regulations (CFR) 77 and 326 Indiana Administrative Code (IAC) 21.

(b) The designated representative shall submit required such information to:

Indiana Department of Environmental Management  
Compliance Section 1, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Ms. Cecilia Mijares  
Air and Radiation Division  
U.S. Environmental Protection Agency, Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

and

U.S. Environmental Protection Agency  
Acid Rain Program (6204J)  
Attn.: Annual Reconciliation  
401 M Street, SW  
Washington, DC 20460

(c) The owners and operators of an affected unit that has excess emissions in any calendar year shall:

- (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21;  
and
- (2) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.

---

**E.1.7 Record Keeping and Reporting Requirements [326 IAC 21]**

---

(a) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created:

- (1) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 Code of Federal Regulations (CFR) 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (2) All emissions monitoring information required by 40 CFR 75.54 shall be collected and shall be retained on site for at least 3 years.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and
  - (4) Copies of all documents used to complete an Acid Rain Permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
  - (5) This period may be extended for cause, at any time prior to the end of 5 years, in writing by U.S. EPA or IDEM, OAQ
- (b) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 Indiana Administrative Code (IAC) 21. Submit required information to the appropriate authority(ies) as specified in 40 CFR 72.90 subpart I and 40 CFR 75.

#### **E.1.8 Submissions [326 IAC 21]**

---

- (a) The designated representative shall submit a certificate of representation and any superseding certificate of representation to U.S. EPA in accordance with 40 Code of Federal Regulations (CFR) 72 and 326 Indiana Administrative Code (IAC) 21.
- (b) The designated representative shall submit such required information to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

U.S. Environmental Protection Agency  
Acid Rain Program (6204J)  
Attn.: Designated Representative  
401 M Street, SW  
Washington, DC 20460
- (c) Each such submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.

- (d) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature:
  - (1) The following statement, which shall be included verbatim in the submission: "I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made." and
  - (2) The following statement which shall be included verbatim in the submission: "I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (e) The designated representative of a source shall notify each owner and operator of the source and of an affected unit at the source:
  - (1) By the date of submission, of any Acid Rain Program submissions by the designated representative,
  - (2) Within 10 business days of receipt of any written determination by U.S. EPA or IDEM, OAQ, and
  - (3) Provided that the submission or determination covers the source or the unit.
- (f) The designated representative of a source shall provide each owner and operator of an affected unit at the source a copy of any submission or determination under condition (d) of this section, unless the owner or operator expressly waives the right to receive a copy.

#### **E.1.9 Severability [326 IAC 21]**

Invalidation of the acid rain portion of an operating permit does not affect the continuing validity of the rest of the operating permit, nor shall invalidation of any other portion of the operating permit affect the continuing validity of the acid rain portion of the permit. [40 Code of Federal Regulations (CFR) 72.72(b), 326 Indiana Administrative Code (IAC) 21, and 326 IAC 2-7-5(5)].

#### **E.1.10 Liability [326 IAC 21]**

- (a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, an Acid Rain Permit, an Acid Rain portion of an operation permit, or a written exemption under 40 Code of Federal Regulations (CFR) 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement by U.S. EPA pursuant to section 113(c) of the Clean Air Act and IDEM pursuant to 326 Indiana Administrative Code (IAC) 21 and Indiana Code (IC) 13-30-3.
- (b) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Clean Air Act and 18 United States Code (U.S.C.) 1001 and IDEM pursuant to 326 IAC 21 and IC 13-30-6-2.
- (c) No permit revision shall excuse any violation of the requirements of the Acid Rain Program

that occurs prior to the date that the revision takes effect.

- (d) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to an affected source, including a provision applicable to the designated representative of an affected source, shall also apply to the owners and operators of such source and of the affected units at the source.
- (f) Any provision of the Acid Rain Program that applies to an affected unit, including a provision applicable to the designated representative of an affected unit, shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (g) Each violation of a provision of 40 CFR 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Clean Air Act.

#### **E.1.11 Effect on Other Authorities [326 IAC 21]**

---

No provision of the Acid Rain Program, an Acid Rain Permit application, an Acid Rain Permit, an Acid Rain portion of an operation permit, or a written exemption under 40 Code of Federal Regulations (CFR) 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act [42 United States Code (U.S.C.) 7651 to 7651(o)], exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (b) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Clean Air Act;
- (c) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (d) Modifying the Federal Power Act (16 U.S.C. 791a et seq.) or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such a program is established.